THE 9.

Two great Questions,

WHEREON

In this present Juncture of AFFAIRS,

THE

PEACE & SAFETY

OF HIS

Maiestie's Person;

And of all HIS

Protestant Subjects

In His Three KINGDOMS next under *GOD* Depend:

Stated, Debated, and Humbly Submitted to the Consideration of Supreme Authority, As resolved by CHRIST.

Doth our Law judge any man before it hear him? Jo. 7. 51.
I say unto you, Love your Enemies, Matth. 44.

By *W. L.* — 9½

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The Two Great Questions whereon in this present Juncture of Affairs, the Peace and Safety of His Majestie's Person, and all his Protestant Subjects in his Three Kingdoms, next under God depend; Stated, Debated, and humbly Submitted to the Consideration of Supreme Authority.

QUEST. I.

Whether an Act of Exclusion either of the Lineal or Collateral Heir to the Crown, ought to be pass'd without Lawful Summons and Hearing? Neg.

Objections against the Negative answered.

Obj. 1. *The Collateral Heir to the Crown* Fugam fecit, *therefore he ought to be Excluded without Summons or Hearing.*

Answ. 1. The known Law of God, Nations, Nature, and Scripture is contrary; *Joh.* 7. 51. *Doth our Law Judge any man before it hear him?*

Answ. 2. The known Law of the Land is contrary, both Common Law and Statute; and particularly the Statutes of *Magna Charta, and the Petition of Right.*

Answ. 3. There is no Malefactor, yea Felon, ought to be found guilty of a *Fugam fecit*, nor forfeit any thing for the same, untill he is brought to the Bar, Arraigned, put to Tryal, and found Innocent of the Felony.

Object. 2. *To Attaint or Condemn of any Crime by Parliament without Summons and Hearing, may perhaps be unlawful. But it doth not follow therefore, That EXCLUSION of RIGHT without Summons and Hearing, is unlawful.*

Answ. 1. To Exclude from *Right*, without Summons and Hearing, is as contrary to the Law of God, Nations, Nature and Scripture, as to Condemn of Crime.

Answ. 2. 'Tis as contrary to the Law of the Land both Common and Statute, and particularly, the Statutes of *MAGNA CHARTA*, *AND PETITION OF RIGHT.*

Obj. 3. *The Press is open to the Papist, and the Protestant afraid to Print; whereby the Protestant Religion and Liberty is Condemned without Hearing, and it will be impossible to Extirpate Popery and Slavery, without Free Liberty of Printing to the Protestant; neither do the Kingdoms of Darkness either of Pope or Turk build themselves on any deeper Fundamental, than that the first permits no Printing but by Episcopal Licence; and the Other permits no Printing at all: neither can any Humane Reason be given Why the Doctrine of* Wickliff, *which comprehended the whole Protestant Religion in far greater Purity than* Luther *or* Calvin *have done since, and was far more terrible to the Church of* Rome *than either of theirs; yet gave them not so great an overthrow as the two latter have done; But only this, That* Wickliff *lived in a Time before the*

the Invention of Printing was found; *And* Luther *and* Calvin *ſince*, *From which Interdiction of the Preſs by the Papiſt to the Proteſtant, whereby the Proteſtant Religion and Liberty, are condemn'd without Hearing, is objected this Concluſion, That it is a juſt Retaliation to Condemn and Exclude the pretended Popiſh Religion and Liberty without Hearing, as they have done the Proteſtant.*

Anſw. It is more juſt and eaſie for the Parliament to puniſh ſuch Perſons as have contrary to the Law againſt *Monopolies*, *Magna Charta*, and *Petition of Right* Impriſoned, Fined, or Pillory'd the Subject for Uſing the Lawful Trade of Printing without their Licences, by Example of Puniſhment on which Monopoliſts, The Proteſtant will be reſtored to his Native Liberty of defending his Religion in Print.

Obj. 4. *The Publick Offices of Temporal and Spiritual Judges, Magiſtrates and Sheriffs, are believed great part of them to have been placed contrary to the Acts of Parliament, on the Recommendations of Papiſts or their Truſtees; It will be therefore impoſſible to obtain any ordinary Legal Proceedings againſt the Collateral Heir from ſuch Judges who are his Creatures. The Honourable Parliament therefore have been neceſſitated to have recourſe to the Extraordinary way of endeavouring an Act of Excluſion, without Summons or Hearing.*

Anſw. The Cauſe of Succeſſion is not now depending before Inferior Judges, Temporal or Spiritual; but before the Supreme Court of the King and Parliament; And the time is a time of Peace, and not of War, the ordinary proceedings therefore of Peace ought now to be uſed; which are Summons and Hearing. And not the Extraordinary without them, as in a time of War.

Obj.

Obj. 5. *It will be too late to delay, till a War or Rebellion break out and ſurprize the Proteſtant with a Maſſacre, ſeeing Perſons recommended by Papiſts have already contrary to all Acts of Parliament, ſeized by themſelves or Agents, on the Military as well as Civil and Eccleſiaſtical Offices and Power, and on the Commands of the Forces by Land and Sea, with the Publick Magazines of Arms and Treaſure, intended by the Parliament to be given and received for the Defence of the Proteſtant.*

Anſw. It is leſs delay, and more juſtly and eaſily done by His Majeſtie's Aſſent to Summon all ſuch Principal Perſons, having ſo offended againſt the Acts of Parliament, as His Majeſty and his High Court of Parliament ſhall think fit, to appear in Perſon before His Majeſty and Parliament, to anſwer to ſuch things as ſhall be objected againſt them; on whoſe appearance, none doubts His Majeſty and his Parliaments Power, by ſuch ways as to their Wiſdom and Juſtice ſeem fit, to prevent their acting in any way of Rebellion and Maſſacre againſt the ſafety of His Majeſty, and of his Proteſtant Subjects; or in caſe of their Refuſal, Contempt, or Neglect to appear, to take ſuch further courſe as ſhall be by God's aſſiſtance moſt juſt, and conducible to the ſame ends.

Obj. 6. *The Declaring of the Lineal Heir to be the Proteſtant Succeſſor, is an Excluſion of the Collateral Heir from Succeſſion. But the declaring of the Lineal Heir to be the Proteſtant Succeſſor, may be without Summons of the Collateral Heir; Therefore there may be an Excluſion of the Collateral Heir without Summons. The* Major *cannot be denyed, and the* Minor *is plain; for after the Death of Queen* Elizabeth, *there were no leſs than Sixteen Pretenders to the Succeſſion of the Crown, who diſcover'd themſelves, and more there might be undiſcovered; whereby if a parti-*

particular Summons were in such case necessary, the Pretenders would be very difficult, and many times impossible to be found and Summon'd: And fraudulently to evade such Summons, they might convey themselves into parts beyond Sea, or places concealed or dangerous to Summon; or Summoners not to be got who would dare to Summon them, whereby it would not lye in the Power of King and Parliament to make any Settlement of the Succession of the Kingdoms to prevent Civil Wars, and all future Calamities incident to the Incertainty of a Successor.

Answ. 1: It is granted, That a Lineal Protestant Heir may be Declared without Summons of the Collateral, and that this doth sufficiently Exclude the Collateral from the Succession; but this Declarator doth neither Exclude the Collateral Heir from Summons or Hearing; for though the Parliament do not actually Summon, or give him notice; yet their Proceeding in Voting a Protestant Successor is so Notorious and Publick, it gives sufficient and general notice in Law to all Persons pretending any Right and Liberty to addresse themselves to make their Claim, and to be heard on the same, and time likewise before it can pass the Negatives of the other House and the King.

Answ. 2. This is Conform to the Judicial Proceeding in ordinary Courts of Justice, wherein is allowed *Admissio Tertii propter interesse*; The receit of a Third Person, if he will addresse himself by Petition to have his Right heard.

Answ. 3. This is Conform to the Proceedings in Fines, wherein if the Party Interested will make his Claim, he shall be heard: But if he neglect, it is his own fault, and he is concluded by Non-claim, and this is held just in private Rights, much more ought it to be, and greater necessity there is allowable, *Finem Litibus*

tibus imponere in Publick Rights of ſo great Conſequence as Succeſſions to the Crown; wherein it is ſufficient, if Liberty is allowed to Pretenders to make their Claims, and to be heard, though there be not thoſe delays of Time and Formalities allowed, as in Diſcuſſion of private Rights, the ſame being inconſiſtent with the imminent Dangers of Kingdoms. But an Act of Excluſion of Right, neither allows notice in Deed or Law, nor what time may without danger be allow'd for Hearing, nor *Admiſſio Tertii propter Intereſſe*, nor Claim to be made; But takes away the Right of Parties intereſted *ſine facto aut defectu*, contrary to the common Rule, *Nemo debet rem ſuam ſine facto aut Defectu ſuo amittere.*

Obj. 7. *An Act of Excluſion may be of any Perſon from Succeſſion in Elective Kingdoms, without Summons or Hearing; But the Three Kingdoms are Elective Kingdoms, therefore an Act of Excluſion from Succeſſion may be without Summons or Hearing.*

Anſwer. It is acknowledged, That the Kingdoms of *England*, *Scotland*, and *Ireland*, and of all other Nations, have been originally Elective by the People, till by the aſſent of the ſame People, the ſame were by Poſitive Laws made Hereditary: And as to the Poſitive Laws of *Great Britain*, not only the Common Law, but the Acts of Parliament are full and clear in it, That the Succeſſion of the Crown is Hereditary to the King's Eldeſt Sons, is particularly enacted in the Statute 25 *E.* 8. *cap.* 2. *De Proditionibus.* And by the Statutes of *Kenneth* the Third, and *Malcolm Mackenneth* the Second, as related by *Buchanan*, *Lib.* 6. *Rer. Scot.* p. 191. 196. And *Anno* 10 *H.* 7. a Right profitable Act was made before Sir *Edward Poynings*, then Deputy or Provoſt in *Ireland*, whereby it is Enacted,

That

That all Statutes late made within the Realm of England, *concerning or belonging to the Common or Publick Weal of the ſame, from henceforth be deemed Good and Effectual in the Law, and over that be accepted, uſed, and executed within this Land of* Ireland, *in all Points, at all times requiſite, according to the Tenor and Effect of the ſame.*

And *Coke* ſaith, 4 *Part* 351. That, *Hill.* 10. *Jac. Regis*, It was reſolved by the two Chief Juſtices and Chief Barons, That this word (*late*) in the beginning of this Act, had the ſenſe of (*before*) ſo that the Act extended to *Magna Charta*, and to all Acts of Parliament of *England*, made before this Act of 10 *H.* 7. And by conſequence to the Act of 25 *E.* 3. *cap.* 2. So that by the Acts of Parliament both of *England*, *Scotland*, and *Ireland*, nothing can be more clear than the making the Succeſſion of all the Three Kingdoms Hereditary to the King's Eldeſt Son. So, 1 *Eliz. cap.* 3. A Recognition is made by Act of Parliament, that the Crown lawfully deſcended to Queen *Elizabeth*, as the next Lineal Heir to *H.* 8. And 1 *Jac. cap.* 1. The like Recognition is made by Act of Parliament of the Deſcent of the Crown to King *James*, as lawful Heir from *H.* 7. Unleſs therefore theſe general Acts of Parliament of *England*, *Scotland*, and *Ireland* ſo antiently made, and the particular Acts of Recognition of two Proteſtant Parliaments ſo lately made, all declaring the Succeſſion of the Crown to be Hereditary, be firſt repealed by new Acts, this Objection, That the Kingdoms are Elective, contrary to both Common and Statute Law, will ſignifie nothing.

Reaſons for the Negative.

1. It would be very diſhonourable to the Proteſtant Religion, and the Supreme Court, which ought to give Example of Juſtice to Inferior Courts, to do any thing Injuſt: And though Parliaments in time of Popery *De facto* uſed to Exclude men of their Rights, and Condemn them without Summons or Hearing, and the ſame is continually practiſed by the inhumane Cruelty of the *Romiſh Inquiſition*; yet, thanks be to God, it never was, nor we hope will be practiſed by any Proteſtant Parliament, neither was it in time of War it ſelf; but there were always Commiſſioners of Claims to hear private Rights; and if the Publick were neceſſitated to make uſe of them, or to change private *Property* or Poſſeſſion to Publick benefit, they made according to Conſcience full Compenſation in value to the Owners.

2. *The Excluſion of Princes from any Right without Summons and Hearing, gives a Dangerous Precedent to Exclude all meaner Subjects from their Rights without Summons and Hearing; neither is it poſſible* Magna Charta *and the* Petition of Right, *if they fall as to one, can ſtand as to the other.*

3. His Majeſty and the Major part of Proteſtants in his Honourable Parliament, will never aſſent to any thing Injuſt or Diſhonourable. It were vain therefore to attempt it.

4. It will be inconſiſtent with Humane Society, and deſtructive to Innocent and Guilty Papiſts and Proteſtants alike.

5. It will give a pretence to Foreign Popiſh Princes, and Inquiſitions to juſtifie their barbarous Proceedings againſt Proteſtants beyond Sea.

6. The *Talio* of a *Legem quam Tuleras feras*, may in the

the Interval of a Parliament, be return'd by the Profecution and Power of Papiſts in publick Offices, Military and Civil, on any Member of Parliament, as was on *Tho. Cromwell* Earl of *Eſſex*, who ſollicited and preſſed the Judges to give an Extrajudicial Opinion, that the Parliament might attaint a man of High Treaſon, without Summons and Hearing; which was ſoon after executed by *H.* 8. on the ſaid Earl of *Eſſex* himſelf, who ſolicited the ſaid Judges to deliver ſuch Opinion; which ſhews that *Malum Conſilium eſt Conſultori peſſimum*, on which *Coke* 4 *Part*, *fol.* 37. hath theſe words: I had it of Sir *Thomas Gawdye* Knight, a grave and Reverend Judge of the King's Bench, who lived at that time, King *H.* 8. commanded him to attend the Chief Juſtices; and to know, *Whether a man that was forth-coming, might be attainted of High Treaſon by Parliament, and never called to anſwer*? The Judges anſwer'd, That it was a *DANGEROUS QUESTION*, and that the High Court of Parliament ought to give Examples to Inferior Courts for proceeding according to Juſtice, and no Inferior Court could do the like; and they thought that the High Court of Parliament would never do it. But being by the Expreſs Commandment of the King, and by the ſaid Earl preſſed to give a direct Anſwer; They ſaid, That if he be Attainted by Parliament, it could not come in queſtion afterwards, whether he were called, or not called to anſwer. And albeit their Opinion was according to Law, yet might they have made a better anſwer; for by the Statutes of *Magna Charta*, *cap.* 29. 5. E. 3. *cap.* 9. and 28 E. 3. *cap.* 5. *No Man ought to be Condemned without anſwer*, &c. which they might have certified, but *facta tenent multa, quæ fieri prohibentur*, the Act of Attainder being paſſed by Parliament, did bind as they Reſolved. The Party againſt whom this was intended,

was never called in Queſtion, but the firſt Man after the ſaid Reſolution, that was ſo attainted and never called to anſwer, was the ſaid Earl of *Eſſex*; whereupon that Erroneous and Vulgar Opinion amongſt our Hiſtorians grew, That he died by the ſame Law which he himſelf had made. The Rehearſal of the ſaid Attainder, can work no prejudice; for that I am confidently perſwaded, That ſuch Honourable and Worthy Members ſhall be from time to time of both Houſes of Parliament, as never any ſuch Attainder, where the Party is forth-coming, ſhall be had without hearing of him.

7. The Papiſt cannot be pleaſed better, nor any thing more for his advantage done, than by Act of Parliament to Exclude the Collateral Heir without Summons or Hearing; becauſe he knoweth the next Parliament for him will make the Act of Excluſion *NULL and VOID*; though they can alledge no other Reaſon for Error, than that he was not according to the *LAW of GOD*, *NATIONS*, *NATURE*, *SCRIPTURE*, *MAGNA CHARTA*, and *PETITION of RIGHT*, Summon'd and Heard: as appears was done in a great Caſe concerning *Thomas* and *Henry* Earls of *Lancaſter*, which is thus recited; *Coke* 2 *Part. fol.* 48. *Thomas* Earl of *Lancaſter* was deſtroyed, That is, adjudged to Die as a Traitor, and put to Death in 14 *E.*2. and a Record thereof made: And *Henry* Earl of *Lancaſter* his Brother, and Heir was reſtored, for two Principal Errors in the proceeding againſt the ſaid *Thomas*, 1. *Quod non fuit arraniatus, & ad Reſponſionem poſitus tempore pacis, eo quod cancellaria, & aliæ curiæ Regis fuer' apertæ, in quibus Lex fiebat unicuique, prout fieri conſuevit.* 2. *Quod contra cartam de Libertatibus, cum dictus Thomas fuit unus parium, & Magnatum Regni, in qua continetur* (and reciteth this Chapter of *Magna Charta*, ſpecially

quod

quod Dominus Rex non ſuper eum ibit, nec mittet, niſi per Legale Judicium parium ſuorum, tamen per Recordum prædictum, Tempore Pacis abſq; arainamento, Reſponſione, ſeu Legali Judicio parium ſuorum, contra Legem, & contra tenorem Magnæ Chartæ.) Here appears that an Act of Parliament made purpoſely to exclude *Thomas* Earl of *Lancaſter*, and his Brother *Henry* Earl of *Lancaſter* from the Crown, is made Void and Null by a Parliament called after by *Henry*, who ſucceeded, and was after King *Henry* the Fourth, on aſſigning no other Errors but theſe Two, *Viz.* (1) That he was not Arraigned nor brought to anſwer, though it was in a time of Peace, when the Chancery, and other the King's Courts were open, in which Juſtice was done to every one, as hath been accuſtomed to be done. (2.) Becauſe againſt the Charter of Liberties, when the ſaid *Thomas* was one of the Peers and great Men of the Kingdom (and recited the Chapter of *Magna Charta*) eſpecially, That our Lord the King ſhall not paſs upon him, nor condemn him, unleſs by the Lawful Tryal of his Peers; yet by the Record aforeſaid in a time of Peace, without Arraignment, Anſwer, or Lawful Tryal of his Peers againſt the Law, and againſt the Tenor of *Magna Charta*, &c. he was Condemned. And ſuch Excluſion without Summons and Hearing, will advance the Reputation of the Title of the Collateral Heir, and diſparage and draw ſuſpition of weakneſs on the Title of the Lineal Heir; becauſe men uſe not to deny Hearing to any but to thoſe whoſe right is better than their own, and whom they are not able to anſwer, but by ſtopping their Mouths, and not ſuffering them to prove or diſpute againſt their own falſe pretences. So did *Edward* the Fourth deal with Sir *John Mortimer*, whom he could not deny to be true next & Lawful Heir to the Crown, as *Coke* relateth *4th Part*, *fol.* 38. And ſaith as evil was the proceeding againſt Sir *John Mortimer*, third Son of

Edmond

Edmond the ſecond Earl of *Marſh* (deſcended from *Lionel* Duke of *Clarence)* who was Indicted of High Treaſon for certain words; in effect, That *Edmond* Earl of *March* ſhould be King by Right of Inheritance; and that he himſelf was next Rightful Heir to the Crown after the ſaid Earl of *March*; wherefore if the ſaid Earl ſhould not take it upon him, he would: And that he would go into *Wales* and raiſe an Army of 20000 Men, *&c.* which Indictment (without any Arraignment or Pleading) being meerly feigned to blemiſh the Title of *Mortimers*, and withal being inſufficient in Law, as by the ſame appeareth, was confirmed by Authority of Parliament: And the ſaid Sir *John* being brought into the Parliament, without Arraignment or putting to Anſwer, Judgment in Parliament was given againſt him upon the ſaid Indictment; *That he ſhould be carried to the Tower of* London, *and Drawn through the City to* Tyborn, *and there Hanged, Drawn, and Quarter'd, his Head to be ſet on* London *Bridge, and his four Quarters on the four Gates of London*; as by Record of Parliament appeareth, *Rot. Par. 2. H. 6. Nu.* 18.

8. Admit the Law ſhould be proved doubtful in the point, whether an Act of Excluſion may be lawful or not, yet the Rule is undoubted, *quod dubites ne feceris*, when the ſame end may be better obtained in a way not at all doubtful, it would ſeem therefore very contentious to caſt all on a Querie in Law, to ſpare the labour of ſo ſmall a Punctilio as Summons, when the ſame may be done with leſs labour, and the proceedings made clear and indiſputable in Law by giving it.

9. Admit an Act of Excluſion might poſſibly be proved Lawful in ſome caſe of Neceſſity without Summons; yet it is a Rule *Non recurritur ad remedium Extraordinarium niſi deficit ordinarium*, it is already ſhewn, Here is no ſuch caſe of Neceſſity; The time is of Peace, and not of War; the place is in the High Court of *Parliament*, and not in the Camp.

10. It

10. It were a very dangerous thing to Expoſe ſo great a Treaſure as *SALUS POPULI* to ſuch Diſputes as nothing can reſolve but the Sword, when God hath vouchſafed ſo great a Mercy as a Proteſtant King, and Proteſtant Parliament, giving ſo great Hopes of ſatisfying all deſires, juſt honourable and neceſſary to publick Safety in Peace.

QUEST. 2.

Whether an Act of Oblivion ought at preſent to be granted both to the Lineal and Collateral Heir of the Crown and their Adherents? Aff.

Objections againſt an Act of Oblivion.

Obj. 1. *If an Act of Oblivion ſhould paſs, then will all the Priſoners in the* Tower *and other Priſons charged with Treaſon, be again let looſe, All Jeſuits, Seminaries, corrupted Judges, Spiritual and Temporal, Donatees, Penſioners, Seiſers or Receivers of the Publick Treaſure, Magazines and Arms would be cleared from all account and reſtitution, and Papiſts be in better Condition than Proteſtants.*

Anſw. No Act of Oblivion uſeth to be without Exceptions, which the King and Parliament may inſert, as it ſhall pleaſe to direct them.

Obj. 2. *Papiſts though diſpoſſeſſed of Publick Offices, Forts and Fleets, yet may retain their old, and provide new Arms in ſecret for the Field, which is more dangerous; for the Forts will again open their Gates to him who Conquers in the Field, and the Fleets return again to his Poſſeſſion who takes the Sea Towns; there can be no Security therefore againſt Papiſts, but Baniſhment, which cannot conſiſt with an Act of Oblivion.*

Anſw. 1. Baniſhment is not neceſſary of Lay-Papiſts, ſeeing the Acts of Parliament have already baniſh'd their Prieſts and Jeſuits, and made it High Treaſon for them to come into or remain in *England* or *Ireland*; without whoſe Diabolical Temptations, there appears no reaſon why the Lay-Papiſt ſhould not deſire the Peace & Safety of their Native Country, & their own Eſtates, and to injoy their Conſcience, Liberty, and Property as free from Violation as the Proteſtants do themſelves, rather than hazard all they have on the Event of Rebellion or Invaſion.

Anſw.

Anſw. 2. Baniſhment is either impoſed as a Puniſhment or a Policy; if as a Puniſhment, it is unjuſt and contrary to *Magna Charta* to Baniſh before Summons and Hearing; for that will puniſh the Innocent and Guilty alike. If the Baniſhment is for Policy, this ſeems moſt unpolitick; For firſt, this inforces all Potent Papiſts to fly to a Foreign Enemy, who is ready to receive and form them and their followers into an Army, and to joyn his own Forces with them againſt their own Country. 2. This gives them a good Cauſe or pretence to fight againſt their Country with Foreigners in a *ſe Defendendo*, and for Recovery of their own, and to aſſociate themſelves on the ſame or like Grounds as Proteſtants have aſſociated. 3. It is that which the ſubtle Jeſuit deſires to draw the unpolitick Proteſtant to, that ſeeing he is himſelf Baniſhed by the Law, that an Army of *Engliſh* Papiſts may be Baniſhed with him, that ſo he may turn head with them on thoſe who have made them deſperate by the Injuſtice of making no diſtinction between the Innocent and Guilty, and to take the Reſolution of *Una ſalus victis nullam Sperare ſalutem*; Touching which, Hiſtories are full of Examples of Kingdoms deſtroyed by the Baniſhment of but one ſingle Perſon, and much more by drawing many into a wrongful Exile. Very much more might be anſwer'd of the Danger of ſo deceitful an Expedient againſt Papiſts; which for Brevity is here omitted.

Reaſons for an Act of Oblivion.

1. It being proved before, That no Act of Excluſion ought to be without Summons and Hearing, it neceſſarily follows, that whoſoever is Summon'd before any Judge to be heard, he ought to have Protection *eundo morando & redeundo*, and Summons *ad Forum non tutum* may juſtly be excepted againſt, and a Protection only *eundo morando & redeundo*, is inſufficient to make *Forum Tutum* without an Act of Oblivion.

2. It cannot be hoped, that the Papiſts being in poſſeſſion by their Agents of ſo much of the Arms and Forces by Land and Sea (and the Proteſtant diſarmed) will deliver up their Arms, and hazard their Lives on a Tryal of Law, without an Act of Oblivion.

3. *Difficile eſt in tot humanis Erroribus ſola innocentia vivere.* An Act of Oblivion may be as ſafe and neceſſary for the Proteſtant as the Papiſt, unleſs they both intend to play off their Heads one to another *alternis vicibus*, as they did in the late Civil Wars, by the running of the Dice to make ſport for Foreigners.

4. Hiſtories are full, how all Inteſtine Diſcords, Seditions, Treaſons, Rebellions, Civil Wars, and in particular the late unhappy Civil Wars in the Three Kingdoms have been accorded, and their Continuance prevented by Acts of Oblivion, and the happy Reſtauration of His preſent Majeſty, and Peace in the Three Kingdoms, made and Eſtabliſhed by the chief means next under God of an Act of Oblivion.

ERRATA. Pag. 13. line 21. read *ſhall pleaſe God to direct them.*